



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank Brzozowski

Serial No.: 10/648,508

Filed: August 25, 2003

For: Configurable Eyewear

Group Art Unit: 2873

Examiner: Ricky L. Mack; Huy Kim Mai

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement set forth in the Office Action mailed on November 29, 2005, Applicant elects claims 34-38, 46-73, and 77-84 for examination without prejudice.

Consistent with Applicant's Attorney's interview with Supervisory Patent Examiner Ricky L. Mack on December 19, 2005, Applicant elects claims 34-38, 46-73, and 77-84 for examination without prejudice, which claims are substantially similar to claims 19-38, 43, and 44 that Applicant elected on December 10, 2004, in response to the restriction requirement set forth in the Office Action mailed on November 10, 2004. In addition, during the December 19, 2005 interview, it was agreed that Applicant would be called once there is a determination of allowability for all examined claims to provide Applicant the opportunity to amend withdrawn claims 74-76 and 85 to depend from an allowed examined claims provided that there are no 112 issues resulting from such an amendment. A copy of the Interview Summary is attached hereto.

Date: 12/29/05

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Patricia A. Wenger', with a long horizontal flourish extending to the right.

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